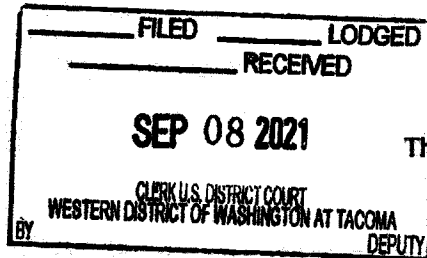


Antoine D. Johnson, MD
P.O. Box #561
Aberdeen, Washington 98520
(564) 544-0864



The Honorable J.C. Coughenour

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES PROBATION AND
PRETRIAL SERVICES (Custodian),
Respondent
v.
ANTOINE D. JOHNSON, MD,
Petitioner.

Case No. 3:21-cv-05125 JCC-DWC

**Request for Judicial Notice of Adjudicative Fact.
(FRE #201).**

1. Please take judicial notice of Docket #395: p.2; Ins. 2-4 of the underlying criminal case No. 3:09-cr-05703-RBL where the Honorable R.S. Lasnik finds:

"Nothing in 21 C.F.R. 1301.28, or any legal authority citing to the regulation, refers to or identifies the 'holding out' requirement in 42 C.F.R. 2.12(e)(1)."

2. Please take judicial notice of Docket #15: p.9; Ins. 21-22 through p.10; Ins. 1-2 of my first 2255 Motion, case No. 3:14-cv-06018-RBL, where the Honorable R.B. Leighton found:

"This so-called evidence relates, again, to the claim that Johnson 'held himself out' as a substance abuse treatment facility, which the Ninth Circuit has already addressed. This is not a claim of actual innocence, and Johnson is procedurally barred from re-litigating it."

Dated this 6th day of September, 2021.
Respectfully submitted by,



Antoine D. Johnson, MD

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